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*Attorneys for Defendant Embry-Riddle Aeronautical
 University, Inc.*

IN THE UNITED STATES DISTRICT COURT
 FOR THE DISTRICT OF ARIZONA

Audrey Davis, an individual,
 Plaintiff,

v.

Rhondie Voorhees, in her personal capacity
 and as Dean of Embry-Riddle Aeronautical
 University; and Embry-Riddle Aeronautical
 University,

Defendants.

No. 3:21-cv-08249-DLR

**STIPULATION FOR ENTRY OF
 PROTECTIVE ORDER**

Rhondie Voorhees, an individual,

Counterclaimant,

v.

Audrey Davis, an individual,

Counterdefendant.

Pursuant to Fed. R. Civ. P. 26(c), the Defendants hereby submit this stipulation and jointly request that the Court enter a protective order in accordance with the terms and conditions of the Stipulated Protective Order submitted herewith. Counsel for Defendants repeatedly requested Plaintiff's input on this stipulation and the proposed Stipulated Protective Order, over a period of nearly eight months, but received no response. As such,

1 this stipulation is entered into by and between Defendant/Counterclaimant Rhondie
2 Voorhees and Defendant Embry-Riddle Aeronautical University, Inc. only.

3 At this time, the Defendants do not intend for any documents to be filed with the
4 Court under seal; however, if the parties determine that filing under seal is necessary, the
5 parties will move the Court for an Order to file a document under seal, with a motion that
6 complies with LRCiv 5.6(b) and Fed. R. Civ. P. 26(c).

7 This stipulation and request for approval is not brought for any improper purpose but
8 instead to govern the use and disclosure of documents and deposition testimony in this
9 action. There are documents and materials which will be exchanged in this lawsuit that
10 contain confidential personnel and/or employee and student information, information
11 regarding a sensitive, alleged sexual assault incident involving two students and the
12 investigation of that alleged incident, and other confidential and/or proprietary business
13 information of Embry-Riddle Aeronautical University, Inc. that could harm the parties or
14 the parties' personnel and/or employees and students if they were made public. The
15 Defendants agree and believe that some of the confidential documents, materials, and
16 information are relevant to the claims or defenses in this matter and therefore would be
17 subject to production, but at the same time, the Defendants believe that the disclosing
18 party's interests in the confidential information may require protection from public
19 disclosure. *See, e.g., Blotzer v. L-3 Commc'ns Corp.*, 287 F.R.D. 507, 509 (D. Ariz. 2012)
20 ("Personnel files may contain confidential information that is both private and irrelevant to
21 the case, therefore special care must be taken before personnel files are turned over to an
22 adverse party."). Accordingly, there is good cause for the Court to enter a Protective Order.

23 For the foregoing reasons, the Defendants respectfully request that the Court enter
24 the Stipulated Protective Order lodged concurrently with this Stipulation.

1 DATED this 26th day of January, 2023.

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3 RM WARNER, PLC

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